

**FILED**

**UNITED STATES DISTRICT COURT**  
**FOR THE**

JAN - 2 2008  
 1-2-08  
 MICHAEL W. BOBBINS  
 CLERK, U.S. DISTRICT COURT

**NORTHERN DISTRICT OF ILLINOIS - EASTERN DIVISION**

**MAGISTRATE JUDGE**  
**GERALDINE SOAT BROWN**

**AFFIDAVIT OF COMPLAINT (OR INDICTMENT) IN REMOVAL PROCEEDINGS**

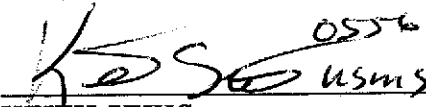
UNITED STATES OF AMERICA )

NORTHERN DISTRICT OF ILLINOIS )

**08CR 0001**  
 CASE NUMBER

The undersigned Affiant personally appeared before Geraldine Soat Brown, a United States Magistrate Judge, and being duly sworn on oath, states: That at Memphis, Tennessee (U.S. District Court for the Western District of Tennessee), one CECIL RAYMOND FERGUSON was charged with a petition to revoke supervised release in *United States v. Cecil Raymond Ferguson, et al.*, Case Number 91-20024, that the term of FERGUSON's release extends through January 20, 2009, and that FERGUSON failed to appear in court to answer the petition against him on October 22, 2007. Furthermore, on the basis of Affiant's investigation and information received concerning the case through official channels, Affiant does hereby certify that an Arrest Warrant is outstanding for the arrest of said defendant.

Wherefore, Affiant prays that the defendant be dealt with according to law.

  
 KEITH SEIKS  
 United States Marshals Service

Subscribed and Sworn to before me this  
2nd of January 2008.

  
 United States Magistrate Judge

CHRISTOPHER R. MCFADDEN  
 Assistant U.S. Attorney

Bond set [or recommended] by issuing Court at: No bond

## United States District Court

WESTERN DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA

WARRANT FOR ARREST

v.

Case Number: 91-20024

2007 OCT 30 PM 2:23

UNITED STATES MARSHALS  
WESTERN DISTRICT OF TENNESSEE

CECIL RAYMOND FERGUSON

TO: The United States Marshal  
and any Authorized Officer of the United StatesYOU ARE HEREBY COMMANDED to arrest CECIL RAYMOND FERGUSON

Name

and bring him or her forthwith to the nearest magistrate judge to answer a(n)

☐ Indictment ☐ Information ☐ Complaint ☐ Order of Court ☐ Probation Violation Petition ☒ Supervised Release Violation Petition ☐ Violation Notice

charging him or her with (brief description of offense)

Failure to appear in court on a Supervised Release Violation court date 10/22/07.

in violation of Title 18United States Code, Section(s) 3146Thomas M. Gould

Name of Issuing Officer

Signature of Issuing Officer

10/24/07, Memphis, TN

Date and Location

District Court Clerk

Title of Issuing Officer

Bail fixed at \$

No bond

by

[Signature]  
Name of Judicial Officer

## RETURN

This warrant was received and executed with the arrest of the above-named defendant at

DATE RECEIVED

NAME AND TITLE OF ARRESTING OFFICER

SIGNATURE OF ARRESTING OFFICER

DATE OF ARREST

UNITED STATES DISTRICT COURT  
Western District of Tennessee

UNITED STATES OF AMERICA  
Plaintiff,

VS.

Case Number 2:91CR20024-B  
(Redacted Version)

CECIL RAYMOND FERGUSON,  
Defendant.

JUDGMENT AND COMMITMENT ORDER  
ON SUPERVISED RELEASE VIOLATION  
(For Offenses Committed On or After November 1, 1987)

The defendant, Cecil Raymond Ferguson, was represented by Leslie Ballin, Esq.

It appearing that the defendant, who was convicted on January 21, 2003, in the above styled cause and was placed on Supervised Release for a period of three (3) years and has violated the terms of Supervised Release.

It is hereby ORDERED and ADJUDGED that the Supervised Release of the defendant is REVOKED, and the defendant is given credit for time previously served. Defendant is placed on a new term of Supervised Release, to expire January 20, 2009.

FURTHERMORE, the defendant shall be subject to the conditions of supervised release that were previously imposed. It is further ordered that the defendant shall participate in Inpatient Drug Treatment, if deemed appropriate by the Probation Officer.

Signed this the 5<sup>th</sup> day of December, 2006.

s/ J. Daniel Breen  
J. DANIEL BREEN  
UNITED STATES DISTRICT JUDGE

PROB 12C  
(7/93)

**United States District Court**

**for the**

**Western District Of Tennessee**

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Cecil Raymond Ferguson Case Number: 2:91CR20024-002  
Name of Sentencing Judicial Officer: The Honorable Jerome Turner (The Honorable J. Daniel Breen)  
Date of Original Sentence: 10/4/1991  
Original Offense: Possession of Controlled Substance with Intent to Distribute (Cocaine)  
Original Sentence: Prison - 168 Months; TSR - 72 Months\* Type of Supervision: Supervised Release  
Asst. U.S. Attorney: Chris Cotton Date Supervision Commenced: 1/21/2003  
Defense Attorney: Eugene Laurenzi Date Supervision Expires: 1/20/2009

\*Supervised Release revoked on December 5, 2006, with a sentence of Time Served, and a new term of Supervised Release imposed set to expire January 20, 2009.

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**PETITIONING THE COURT**

- ☐ To issue a warrant.  
☒ To issue a summons.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<b>Possession/Usage of a Controlled Substance</b> - Mr. Ferguson used and/or possessed a controlled substance as evidenced by voluntarily signing admissions to having used cocaine on or about April 15 and May 26, 2007.

U.S. Probation Officer Recommendation:

- ☒ The term of supervision should be  
    ☒ revoked.  
    ☐ extended for \_\_\_\_\_ years, for a total term of \_\_\_\_\_ years.  
☐ The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 30, 2007

\_\_\_\_\_  
s/Nicole D. Peterson

\_\_\_\_\_  
Nicole D Peterson  
U.S. Probation Officer

Prob12C

**Re: Ferguson, Cecil Raymond**

**May 30, 2007**

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Approved:

s/Alice Conley

05-31-2007

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Supervising U.S. Probation Officer

Date

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**THE COURT ORDERS**

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other

s/ J. DANIEL BREEN

Signature of Judicial Officer

Date: June 15, 2007

Prob12C

Re: **Ferguson, Cecil Raymond**

May 30, 2007

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## VIOLATION WORKSHEET

1. Defendant Cecil Raymond Ferguson
2. Docket Number (Year-Sequence-Defendant No.) 2:91CR20024-002
3. District/Office Western District of Tennessee (Memphis)
4. Original Sentence Date 10/4/1991

(If different than above):

5. Original District/Office \_\_\_\_\_
6. Original Docket Number (Year-Sequence-Defendant No.) \_\_\_\_\_
7. List each violation and determine the applicable grade (see §7B1.1):

<u>Violation{s}</u>	<u>Grade</u>
Possession/Use of a Controlled Substance	B
_____	_____
_____	_____
_____	_____
_____	_____

8. Most Serious Grade of Violation (see §7B1.1(b))
9. Criminal History Category (see §7B1.4(a))74

B

VI

10. Range of imprisonment (see §7B1.4(a))

21-27 months

Statutory Max: 36 months

11. Sentencing Options for Grade B and C violations Only (Check the appropriate box):

- ☐ (a) If the minimum term of imprisonment determined under §7B1.4(Term of Imprisonment) is at least one month but not more than six months, §7B1.3(c) (1) provides sentencing options to imprisonment.
- ☐ (b) If the minimum term of imprisonment determined under §7B1.4(Term of Imprisonment) is more than six months but not more than ten months, §7B1.3(c) (2) provides sentencing options to imprisonment.
- ☒ (c) If the minimum term of imprisonment determined under §7B1.4(Term of Imprisonment) is more than ten months, no sentencing options to imprisonment are available.

Mail documents to: United States Sentencing Commission, 1331 Pennsylvania Avenue, N.W.  
Suite 1400, Washington, D.C., 20004, Attention: Monitoring Unit

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**Re: Ferguson, Cecil Raymond**

**May 30, 2007**

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**Defendant** Cecil Raymond Ferguson **Docket No:** 2:91CR20024-002

**12. Unsatisfied Conditions of Original Sentence**

List any restitution, fine, community confinement, home detention, or intermittent confinement previously imposed in connection with the sentence for which revocation is ordered that remains unpaid or unserved at the time of revocation {see §7B1.3(d)}:

Restitution (\$)	Community Confinement
Fine (\$)	Home Detention
Other	Intermittent Confinement

**13. Supervised Release**

If probation is to be revoked, determine the length, if any, of the term of supervised release according to the provisions of §§5D1.1-1.3 {see §§7B1.3(g)(1)}.

Term: \_\_\_\_\_ to \_\_\_\_\_ years

If supervised release is revoked and the term of imprisonment imposed is less than the maximum term of imprisonment possible upon revocation, the defendant may, to the extent permitted by law, be ordered to recommence supervised release upon release from imprisonment {see 18 U.S.C. §3583(e) and §7B1.3(g)(2)}.

Period of supervised release to be served following release from imprisonment: \_\_\_\_\_

**14. Departure**

List aggravating and mitigating factors that may warrant a sentence outside the applicable range of imprisonment:

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**15. Official Detention Adjustment {see §7B1.3(e)}: months \_\_\_\_\_ days \_\_\_\_\_**

**Mail documents to: United States Sentencing Commission, 1331 Pennsylvania Avenue, N.W.  
Suite 1400, Washington, D.C., 20004, Attention: Monitoring Unit**